IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL REVN. APPLICATION NO.359 OF 2006

Mr. Sharad B. Mehta .. ..Applicant
Versus
Mr.Prakash Natwarlal Trivedi .. ..Respondent

Mr.R.B.Upadhyay for applicant
Mr.Abhau Redij for respondent no.1
Mr.Rajesh More, APP for State

CORAM : S.C.DHARMADHIKARI,J.

DATE : 27TH NOVEMBER, 2006

P.C.:

1. After this revision application was argued for some time by Shri Upadhyay, he submits that he has instructions not to press the same. He states that out of the total sum of Rs.95,520/= a sum of Rs.65,000/= is deposited in this Court. Mr. Upadhyay once again upon instructions states that he has no objection if the amount of Rs.65,000/= is withdrawn by the original complainant-respondent no.1.

2. Mr. Upadhyay seeks time to pay the balance sum of Rs.30,000/=, which he states that would be paid within a period of eight weeks from today. The applicant who is present in court through Mr. Upadhyay requests for eight

weeks time. The complainant's counsel has no objection if time is granted. Hence, the following order :

(i) Revision application dismissed as withdrawn. However, the sentence imposed upon the applicant is suspended for a period of eight weeks to enable the applicant to pay the balance sum of Rs.30,000/- to the respondent complainant.

(ii) Needless to state that if the amount is not paid within the aforesaid period then the applicant shall surrender to the custody for undergoing the sentence.

(iii) Needless to further clarify if the amount of Rs.30,000/= is paid within the aforesaid period then the complaint to stand compounded and disposed off accordingly.

. The pleas raised by Shri Upadhyay including the reliance placed on (1) 2006 (1) Bom. C.R. (Cri.) 157 and (2) 2000(5) Bom. C.R. 9,_ can be gone into the facts and circumstances of an appropriate case and they are kept open.

(S.C.Dharmadhikari, J.)